

ZB# 72-4

Mans & Miller Auto Center

(no SBL given)

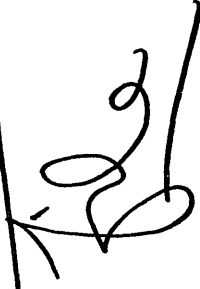
Mans & Miller - (2) 72-41

Public hearing 2/7/72 -

8:30 p.m.

Raymond Bradford, atty.

Approved 3/20/72.





Oxford

STOCK No. 752

MADE IN U.S.A.

filed
4/12/72
1:00 PM

Muns & Miller - (2) 12-4

**PUBLIC NOTICE OF HEARING
BEFORE THE ZONING BOARD
OF APPEALS**
PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Town of New Windsor, New York, will hold a public hearing pursuant to Section 48-38A of the Zoning Ordinance on the following proposition:
Request of Mans & Miller, as owner of property located at Route 94 and Old Temple Hill Road, New Windsor, New York, for a variance of the regulations of the Zoning Ordinance to permit the exposing for sale and sale of camping and recreational trailers (none of which are self-propelled) being a Variance of Article III, Section 48-28a (1) of the property situated on Route 94 and the northeast corner of Temple Hill Road.
SAID HEARING will take place on the 7th day of February, 1972 at the Town Hall, 555 Union Avenue, in said Town, beginning at 8:30 P.M.
FRED WYGANT
Chairman
By Patricia Della Seta
Jan. 28

State of New York
County of Orange, ss:

Hugh V. Nocton , being duly sworn deposes and
says that he isPrincipal Clerk..... of Newburgh-
Beacon News Co., Inc., Publisher of The Evening News,
a daily newspaper published and of general circulation in
the Counties of Orange and Dutchess, and that the notice
of which the annexed is a true copy was published
one time
in said newspaper, commencing on the 28th.....day of
January.....A.D., 19⁷² , and ending on
the28th..... day of January..... A.D., 1972

Subscribed and sworn to before me this
.....1st..... day of.....February. 19..72..

Hugh V. Nocton
Patricia Della Seta

Notary Public of the State of New York, County of Orange.
MY COMMISSION EXPIRES MARCH 30, 1973



Adopted 12/20/65

APPLICATION FOR VARIANCE

APPLICATION NO. 72-4

DATE: January 15, 1972

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

K (we) Mans & Miller Auto Centers of 435 Robinson Avenue

Newburgh, New York, 12550 (Street & Number)

HEREBY MAKE

(State)

APPLICATION FOR A VARIANCE:

Route 94 - Old Temple Hill Road

A. LOCATION OF THE PROPERTY New Windsor, N. Y.

(Street & Number)

(Use District on Zoning Map)

B. PROVISION (S) OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance:)

Article III - Section 48-9B(11)

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: Applicant already has a Variance for used cars; and addition of camping and recreational trailers will not affect area or adjacent properties--as these are not vehicles and do not have regular living facilities.
2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: Applicant already sells used cars at location and to deprive applicant of right to expose for sole camping and recreational trailers which do not have regular living facilities would be a hardship.
3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Ordinance because: Applicant given a variance on 10/5/70 by Application #70-20 of Zoning Board.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this ordinance because: _____

Variance already in effect for sale of vehicles and because
there are other business and commercial uses in surrounding
areas.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: _____

The area is commercial in many spots and these trailers are
not household trailers and are not motor vehicles, and do not
have regular housekeeping facilities.

- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

Under file 70-20 all plans - sketches were submitted. Please
refer to that file.

* Variance on application #70-20 granted on 10/5/70

- E. Application to be accompanied by a check, payable to the Town ^{of New Windsor} ~~Comptroller~~ in the amount of \$10.00. Application to be returned to: New Windsor Zoning Board of Appeals, ~~New Windsor~~, New Windsor, N. Y. 12550.

F. NOTICE OF HEARING:

Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the ordinance

- G. If the property in question is located within 500 ft. of an adjoining municipality, the Bd. should be notified.

Dated: January 15, 1972

STATE OF NEW YORK)
COUNTY OF ORANGE) SS

Sworn to this 15th day of January 1972 435 Robinson Ave., Newburgh, N.Y.
Address 12550

(Notary Public)

Signature of Applicant Casey Mans

565-8828

Telephone No.

DO NOT WRITE IN THIS SPACE

Application NO. 72-4

Date of Hearing Jan 6, 1972 Feb. 7, 1972
Date of Decision May 20, 1972

Date Received Feb. 1972

Notice Published Jan 28, 1972

Decision:

Approved.

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR, NEW YORK

Forge Hill Road
New Windsor, N. Y.
October 8, 1971

Raymond Bradford, Esq.
368 Robinson Avenue
Newburgh, N. Y. 12550

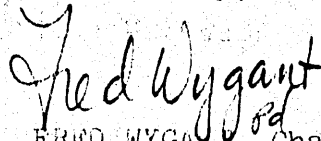
Re: Mans & Miller

Dear Mr. Bradford:

Please be informed that the Zoning Board of Appeals of the Town of New Windsor cannot act on your petition recently received until an application for a variance is applied for by Mr. Mans and Mr. Miller. If we do not receive an application or hear from you within the next two weeks, we shall have no other alternative but to inform the Building Inspector to enforce the violation presently on the property located on Old Temple Hill and Rt. 94.

Applications may be obtained through our secretary, Mrs. Patricia Delio, 7 Franklin Avenue, New Windsor, N. Y.

Yours truly,



FRED WYGANT, Chairman

/pd

cc: Howard Collett, Bldg. Inspector
Town of New Windsor
Town Hall - 555 Union Avenue
New Windsor, N. Y. 12550

RAYMOND H. BRADFORD
COUNSELLOR AT LAW
425 ROBINSON AT NORTH
NEWBURGH, NEW YORK 12550
(914) 561-2727

January 7, 1972

Zoning Board of Appeals
Town of New Windsor
Town Hall - 555 Union Avenue
New Windsor, New York, 12550

Attn: Mr. Fred Wygant

Re: Mans and Miller
My File No. 6833

Gentlemen:

I return copy of your letter of October 8, 1971.
I also enclose copy of petition for variance sent to Town
Board, Town of New Windsor, New York, on September 14,
1971--to which I had no reply.

You have all of the other papers in a previous file
wherein a variance was granted including diagrams, maps, etc.

Inasmuch as these camping and recreational trailers
are not self-propelled, have no motors, they are not motor
vehicles. These are not house trailers with living facilities;
they are only camping and other recreational use vehicles not
intended by any stretch of the imagination for living purposes.
Therefore, I see no reason for a denial of the use of this
property for the display and/or sale of these camping and
recreational trailers as surely the use for the sale of
recreational and camping trailers is considerably less
obnoxious (if you can call it that) than a permit for the
sale of used cars which was permitted under the variance
previously granted.

I await your contact.

Very truly yours,

Raymond H. Bradford
Raymond H. Bradford (R)

RHB/pv
Encl.

TOWN OF NEW WINDSOR
555 Union Avenue
565-8808

DATE January 4, 1972

APPLICATION is hereby made for the following:

Agenda _____ Service _____

✓ 1. Name Mans and Miller

Address Route 94 - Old Temple Hill Road, New Windsor, N. Y.

Telephone number 565-8828

Are you the owner of the property? Yes

✓ 2. Briefly describe intention (or attach) and location of property:
Route 94, Old Temple Hill Road, New Windsor, N. Y. - for sale
and expose for sale of camping and recreational trailers, none
of which are self-propelled. See copy of petition attached sent
Town Board on September 15, 1971

3. PLANNING BOARD

_____ Site Plan Preliminary Meeting

_____ Subdivision Preliminary Meeting

_____ Informational Meeting

AGENDA DATE _____

4. ZONING BOARD OF APPEALS

_____ Interpretation of Ordinance or Map

X _____ Variance (Notify P/B - plans if necessary)

_____ Informational meeting

AGENDA DATE _____

5. BUILDING PERMIT

_____ Planning Board action needed

_____ Z.B.A. action needed

_____ Site plan needed

_____ Subdivision approval needed

_____ Water, Sewer and Highway action needed

ACTION TAKEN:

✓ I do hereby affirm that all fees, permits and charges
applicable under the laws and ordinances of the State of New

APPLICATION is hereby made for the following:

Agenda _____ Service _____

✓ 1. Name Mans and Miller

Address Route 94 - Old Temple Hill Road, New Windsor, N. Y.

Telephone number 565-8828

Are you the owner of the property? Yes

✓ 2. Briefly describe intention (or attach) and location of property:
Route 94, Old Temple Hill Road, New Windsor, N. Y. - for sale
and expose for sale of camping and recreational trailers, none
of which are self-propelled. See copy of petition attached sent
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AGENDA DATE _____

4. ZONING BOARD OF APPEALS

_____ Interpretation of Ordinance or Map

X _____ Variance (Notify P/B - plans if necessary)

_____ Informational meeting

AGENDA DATE _____

5. BUILDING PERMIT

_____ Planning Board action needed

_____ Z.B.A. action needed

_____ Site plan needed

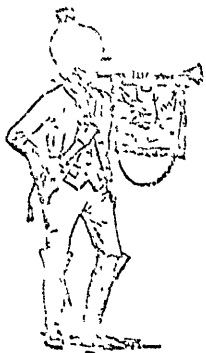
_____ Subdivision approval needed

_____ Water, Sewer and Highway action needed

ACTION TAKEN:

✓ I do hereby affirm that all fees, permits and charges
applicable under the laws and ordinances of the State of New
York and the Town of New Windsor will be paid and that any
expenses for advertising of Public Hearing or meetings will
be paid. Also any legal or engineering fees for review of
this project.

Signed: *Frederick Miller*
(APPLICANT)



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 661-6482

RE: Request - Henry L. Nielson

✓ Marshall, Maria - Box 68
Vails Gate, New York 12584

✓ Christopian, Frank
Box 202
Vails Gate, New York 12584

✓ Sloan, Agnes M.
Vails Gate, New York 12584

✓ Patterson, John T. and Co.
Vails Gate, New York 12584

✓ Panella, Emilio & Sylvia Dambrosio
410 Blooming Grove Turnpike
New Windsor, New York 12550
(130696)

✓ Smith, George & Catherine
38 Willow Lane
New Windsor, New York 12550

✓ Mangani, Anthony & Rose
319 58th Street
Brooklyn, 20, New York

✓ Dlorah Estates, Inc.
c/o Harold Adams 130693
Highland Ave.
Maybrook, New York

✓ Solomon, Theodore H.
700 Exec. Office Building
Rochester, New York 14614

✓ Vails Gate Fire Company
Vails Gate, New York 12584

✓ Marshall, William & Blanche
Vails Gate, New York 12584

✓ Moniz, Antone & Anastazja
Route 94
Vails Gate, New York 12584

✓ Muller, William & Gloria
Marshall Park
Vails Gate, New York 12584

✓ Jubalee Enterprises Co., Inc.
c/o Ben Harris
MD-#26, Route 9W
New Windsor, New York 12550

✓ Welch, Richard D., Jr. & Margaret
6 Truex Drive 210896 (Mauely)
Vails Gate, New York 12584

Barbaro, Patsy & Matilda 130701
Box 589
Vails Gate, New York 12584

✓ Lukacik, Robina G.
Vails Gate, New York 12584

✓ Highland-Quassaick Nat. Bank
381 Broadway
Newburgh, New York 12550

✓ City School Dist. of Newburgh
98 Grand Street
Newburgh, New York 12550

✓ Vails Gate Methodist Cemetery
Vails Gate, New York 12584



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

RE: Henry L. Nielson

Sheet 2

Adams, Harold J. 210888
Highland Avenue
Maybrook, New York

✓ Olympia, Peter M.
16 Russell Road
Newburgh, New York 12550

✓ Trevorah, Edward
Box 32
Vails Gate, New York 12584

✓ Grefe, Frank H. & Theresa M.
Vails Gate, New York 12584

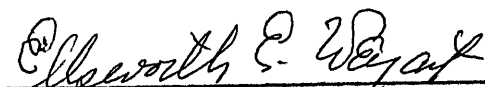
✓ Weber, George A. & Olive B.
Vails Gate, New York 12584

Respectfully submitted,

ELLSWORTH E. WEYANT
Chairman
Board of Assessors
Town of New Windsor

EEW/pt

I certify that this is a copy of the property
listed for Henry L. Nielson on May 16, 1970.


ELLSWORTH E. WEYANT
Solo Assessor
Town of New Windsor, N. Y.

8:30 p.m. - 2/7/72 - Public Hearing

Spectators: Mans - Miller

Name:

Address:

~~Hebert L. Kienigover~~

557 B 94 - New Windsor

Margie D. Kartiganer

557 B 94 " "

Raymond H. Bradford

425 Robinson, New York

Leann J. Apple

39 Hart Dr New Windsor

Casey Mann

Tamara Fore, Council at Hudson, NY

555 Union Avenue
New Windsor, N. Y. 12550
March 23, 1972

Raymond H. Bradford, Esq.
425 Robinson Avenue
Newburgh, N. Y. 12550

RE: MANS & MILLER
Application for Variance

Dear Mr. Bradford:

Please be advised that the above application for a variance has been approved subject to the following recommendations:

Motion was made to grant a use variance to permit the sale of camping trailers and recreational vehicles subject to site plan approval of the Planning Board with respect to the construction of the building, which the applicants intend to erect. In the event such building is not erected and utilized from one year of the date hereof, this variance shall become null and void.

The above was made at the March 20th meeting of the Zoning Board of Appeals.

Yours truly,

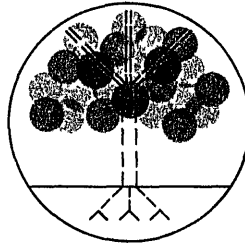
FRED WYGANT, Chairman

/pd

cc: Howard Collett, Bldg. Inspector
Town of New Windsor

Department of Planning

Peter Garrison, AIP, Commissioner
Edwin J. Garling, AIP, Deputy Commissioner



The County Building
Goshen, New York 10924
(914) 294-5151

County of Orange

Louis V. Mills, County Executive

February 23, 1972

Mr. Fred Wygant, Jr., Chairman
Town of New Windsor Zoning Board of Appeals
Forge Hill Road
New Windsor, New York 12550

Re: Use variance -
Mans & Miller Auto Centers
Route 94

Dear Mr. Wygant:

We are in receipt of the above variance application. In accordance with the provisions of Sections 239, L and M, of the General Municipal Law, we have made our review.

Since the applicant already sells used cars, placing camping and recreational trailers on the site could create an extremely unsightly, unattractive, and disorderly appearance. To avoid this, we suggest that your Board consider entrance and exit driveways; require the applicant to service and repair vehicles and store parts, materials, etc. within a building (if applicable); and limit the number of vehicles parked and/or stored on the site. The applicant should submit a site plan for review, showing the on-site arrangement to be used.

We, therefore, grant our approval subject to your Board's consideration of the above recommendations.

Very truly yours,

Edwin J. Garling

Edwin J. Garling
Deputy Commissioner of Planning

EJG:mj
Enclosure

TOWN BOARD : TOWN OF NEW WINDSOR

----- X
In the Matter of the Application :
of Mans and Miller (Kenneth Miller)
for a Variance to Sell Camping :
and Recreational Trailers on :
Property Located at Route 94 and
Old Temple Hill Road, New Windsor, :
New York

PETITION FOR VARIANCE

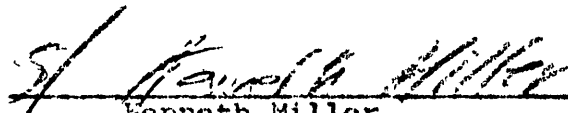
----- X
The petition of Kenneth Miller of 39 Harth Drive,
New Windsor, New York, respectfully shows to this Board and
alleges:

1. Your petitioner is a partner in Mans and Miller who
are presently conducting a used car lot and sales facility on
property at Route 94 and Old Temple Hill Road, Town of New Windsor,
New York.
2. That this permission was granted by a Variance dated
October 25, 1971, but was for the sale of used cars.
3. Your petitioner wishes to expose for sale and to sell
at these premises camping and recreational trailers. These
trailers are not self-propelled and are not a motor vehicle.
These trailers are not house trailers with regular living
facilities. These trailers are designed for and are towed or
carried by a motor vehicle for camping and other recreational
(not living) purposes.
4. These trailers will be placed for sale on the lot
but shall not be placed or kept on any foundations. Likewise,
these trailers shall not be occupied by anyone for sleeping or
living purposes on this lot.
5. Your petitioner believes that the trailers proposed
are not motor vehicles since none of them have motors and they
are either intended to be towed or carried by a motor vehicle.

6. Your petitioners request a variance to permit the sale of the above described camping and recreational trailers and that this variance be limited to these types of trailers and that the regular mobile homes be expressly not permitted on this lot, if this be the desire of the Board.


7. Inasmuch as all of the maps, diagrams and other data are already available before the Board because of the Variance granted by the Zoning Board under date of October 25, 1970, your petitioner sees no reason to duplicate Town files with additional surplus material. However, petitioners will be happy to provide extra copies if it is so indicated.

WHEREFORE, your petitioners respectfully request that the Town Board grant a Variance as per application filed herewith.


Kenneth Miller
Partner

STATE OF NEW YORK)
 : ss.:
COUNTY OF ORANGE)

On the 14th day of September, 1971, before me came KENNETH MILLER to me known and known to me to be the individual described in, and who executed, the foregoing petition, and acknowledged to me that he executed the same.


RAYMOND H. BREWSTER
Notary Public, State of New York
Residing in Orange County
Commenced on 1st of March 1971